UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/977,499	10/16/2001	Colin Andrew Low	1509-227	1494

			EXAMINER
22429	7590	08/11/2005	BURGESS, BARBARA N

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ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 08/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)
Office Action Summary		09/977,499	LOW ET AL.
		Examiner	Art Unit
		Barbara N. Burgess	2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _26 May 2005_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-16_ is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-16_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
   application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _5-26-05_.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This Office Action is in response to Amendments filed May 5, 2005. Claims 1-16 are

presented for further examination.

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Shafiee

et al. (hereinafter "Shafiee", US Patent 6,771,766 B1).

As per claim 1, Shafiee discloses a helper entity for selectively offering

assistance to an endpoint entity connected to at least one media channel established in

respect of a network communication session to which the endpoint entity is joined, the

helper entity comprising:

- An entity manager configured to receive, in respect of the communication session,

  channel information about the channels established for the session (column 1, lines

  65-67, column 2, lines 1-3, column 6, lines 6-10, 19-22);

- A transport subsystem configured to establish, in accordance with the channel

  information received by the entity manager, at least one media channel connection

to a session transport mechanism associated with said session (column 2, lines 32-35, 43-59, column 3, lines 3-5, 19-22, column 5, lines 5-10, 28-32, column 6, lines 6-10, column 8, lines 20-26, 55-60);

- A media subsystem arranged to provide a respective media handler of appropriate type for the each media channel connection established by the transport subsystem, each media handler serving to receive and transmit content over the corresponding media channel (column 6, lines 6-22);

- A monitor subsystem connected to the media handlers and configured to match content indicative of assistance needed by the media handlers with predetermined triggers (column 3, lines 10-18, column 7, lines 46-65, column 9, lines 24-39, column 16, lines 44-57);

An advisor subsystem arranged to transmit advisory content related to matched-content on at least one channel via the corresponding media handler in response to the monitor subsystem finding a match (column 5, lines 47-55, column 7, lines 35-42, column 9, lines 38-45, column 10, lines 8-13, column 12, lines 63-67).

As per claim 2, Shafiee discloses a helper entity according to claim 1, wherein predetermined triggers are specified in the form of at least one of specific content, content combinations, and content patterns (column 3, lines 10-18, column 7, lines 46-65, column 9, lines 24-39).

As per claim 3, Shafiee discloses a helper entity according to claim 1, wherein at least one said predetermined trigger is specified in the form of content combinations or content patterns involving content on multiple channels (column 9, lines 28-30).

As per claim 4, Shafiee further discloses a helper entity according to claim 1, wherein the monitor subsystem manager includes, for at least one channel, a converter configured to convert the content received over the corresponding channel into a different form, the different form being a form in which the monitor subsystem is adapted to carry out its matching of content with triggers (column 8, lines 20-30).

As per claim 5, Shafiee discloses a helper entity according to claim 1, wherein the advisor subsystem is operative to adapt the advisory content the advisor subsystem delivers to be appropriate to content recently received over the connected channels (column 5, lines 47-55).

As per claim 6, Shafiee discloses a helper entity according to claim 1, wherein the advisor subsystem is operative to receive context data regarding the communication session and to adapt the advisory content the advisor subsystem delivers accordingly (column 6, lines 1-20).

As per claim 7, Shafiee discloses a helper entity according to claim 6, wherein

the context data includes data about endpoint entities connected to the session (column

2, lines 60-67).

As per claim 8, Shafiee discloses a helper entity according to claim 6, wherein

the context data includes identity data about the endpoint entities joined to the session,

the advisory subsystem including database access functionality configured to user the

identity data to look up information about the entities in a database, the look up

information then being arranged to be coupled to the advisor system to adapt the

advisory content it delivers (column 10, lines 53-67, column 11, lines 7-16).

As per claims 9, Shafiee discloses in combination, a helper entity according to claim

1,

- An information page server configured to serve information pages, and a service

  system configured to establish a respective communication session for each of at

  least some of the information pages and configured to join to such session endpoint

  entities browsing the the corresponding page, each communication session that is

  established having an associated transport mechanism for allowing the exchange of

  data, via data transfer channels, between endpoint systems joined to the session

  (column 4, lines 58-65, column 5, lines 24-45);

- The service system being operative to join the helper entity to said session to offer assistance when appropriate to endpoint systems joined to the session (column 5, lines 48-55).

As per claim 10, Shafiee discloses the combination set out in claim 9, wherein the advisory content provided by the advisor subsystem is specific to the page associated with the session to which the helper entity is joined (column 2, lines 55-67, column 3, lines 10-17).

As per claims 11, Shafiee discloses the combination of claim 9, wherein the service-session functional entity joins the helper entity to the session in a manner such that other entities joined to the session are unaware of the joining of the helper entity (column 4, lines 23-34).

As per claims 12, Shafiee discloses the combination set out in claim 9, wherein the service system includes

- A real-time database for recording for each session that is established, the identity of the associated information page and of any endpoint entity currently joined to the session (column 6, lines 1-25);
- A customer database (column 10, lines 53-67);
- The helper entity including database access functionality for accessing the real-time database to ascertain the identities of the entities joined to the session which the

helper entity is arranged to then use to adapt the advisory content the helper entity is

arranged to (column 10, lines 53-67, column 11, lines 1-30)

As per claim 13, Shafiee discloses in combination, a helper entity according to claim

1.

- A service system configured to set up a communication session with an associated

  transport mechanism allowing the exchange of data, via data transfer channels for

  different media types, between endpoint entities joined to the session (column 6,

  lines 6-22);

- The service system, in setting up a communication session, being arranged for

  creating a service-session functional entity configured to control the joining of

  endpoint entities to the session in accordance with a predetermined service behavior

  (column 7, lines 4-14);

- The service-session functional entity being responsible for joining the helper entity to

  the session as required, joining the helper entity including the sending of said

  channel information to the helper entity (column 3, lines 33-46).

As per claim 14, Shafiee discloses the combination of claim 13, wherein the service-

session functional entity is arranged to join the helper entity to the session in a manner

such that other entities joined to the session are unaware of the joining of the helper

entity (column 12, lines 42-50).

As per claim 15, Shafiee discloses the combination of claim 13, wherein the service-session functional entity comprises:

- A session instance with generic behavior for adding and removing endpoint entities to the communication session and for recording the endpoint entities currently joined to the communication session (column 7, lines 4-14);

- An associated service instance with service-specific behavior for determining when the session instance is to add and remove endpoint entities (column 7, lines 5-12).

As per claim 16, Shafiee discloses the combination of claim 13, wherein the state of connection of the helper entity to the transport mechanism is signaled to the session-service functional entity by leg messages passed between a leg controller of the entity manager of the helper entity and a corresponding leg controller of the service-session functional entity (column 2, lines 30-40, column 4, lines 35-48).

Response to Arguments

The Office notes the following arguments:

(a)   Truetken fails to disclose a monitor subsystem configured to match content indicative of assistance needed and an advisor subsystem as claimed.

(b)   Truetken's helper applications do not include a monitor subsystem as defined by claim 1.

(c)   Truetken fails to disclose an advisor subsystem configured to transmit advisory content offering assistance related to matched content as set forth in claim 1.

In response to:

(a)-(c)   Applicant's arguments have been considered but are moot in view of the

new ground(s) of rejection.

Conclusion

3.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

US Patent No. 6,493,447 B1

US Patent No. 6,826,194 B1

US Patent No. 5,958,014

4.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

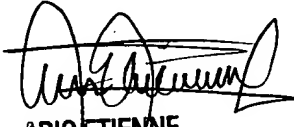than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barbara N. Burgess whose telephone number is (571) 272-3996. The examiner can normally be reached on M-F (8:00am-4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Barbara N Burgess
Examiner
Art Unit 2157

August 4, 2005

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